

# LOUDOUN COUNTY PLANNING COMMISSION

## ACTION SUMMARY

TUESDAY, DECEMBER 1, 2009

**REVISED**

6:00 P.M.      WORKSESSION

LOCATION:    PURCELLVILLE ROOM  
Government Center  
1<sup>st</sup> Floor

**Commissioners Present:** Peggy Maio, Chairman, Blue Ridge District; Robert Klancher, Vice-Chairman, Broad Run District; Erin Austin, Catoctin District; Glen Bayless, Sugarland Run District; Chris Brodrick, Potomac District; Sandra Chaloux, Dulles District; Gigi Robinson, Leesburg District; Kevin Ruedisueli, At Large; Helena Syska, Sterling District.

**Staff Present:** John Merrithew, Assistant Director of Planning; Michelle Lohr, Marilee Seigfried, Zoning Administration; Andy Beacher, Lou Mosurak, Office of Transportation Services; Planner: Stephen Gardner; Nancy Bryan, Recording Secretary.

### 1. ZOAM 2007-0004, Zoning Ordinance Amendment to Permit Farm Markets in Various Zoning Districts and to Reduce Minimum Acreage Requirements for Agriculture, Horticulture, and Animal Husbandry Uses

The Planning Commission adopted the Austin/Maio Proposal for Section 5-626 of the 1993 Revised Zoning Ordinance. (9-0).

#### Austin/Maio Proposal

#### **5-626 Agriculture, Horticulture and Animal Husbandry.**

##### **(A) Parcel Size.**

- (i) Agriculture and Horticulture uses shall have no minimum lot size.
- (ii) On parcels of less than 3 acres, animal husbandry uses shall not be permitted unless such parcel has obtained an approved Conservation Farm Plan with a Best Management section as described in Section 5-626(B) below.

**(B) Conservation Farm Plan.** Prior to the establishment of an animal husbandry use on a property of less than three acres, the owner of the parcel shall be required to execute a Conservation Farm Plan (also known as a farm management plan) including a manure management plan, through and with the Loudoun Soil and Water Conservation District (SWCD) and the Virginia Cooperative Extension Service (VCES) and provide a copy of such executed Plan to the Zoning Administrator. The plan shall indicate the types and quantity of proposed animals, location and size of existing and proposed structures, grazing areas, and location and type of wells and septic fields and reserve septic fields. A Best Management section shall be included identifying the best management practices necessary to support the proposed types and quantity of animals. Review of the Plan shall take into consideration the type and construction of any wells, septic fields and reserve septic fields and environmental features such as steep slopes, rock outcroppings and streams. The Best Management Section shall be reviewed by the Virginia Cooperative Extension Service to confirm that it is consistent with generally

*accepted Animal Husbandry standards and documentation indicating such confirmation shall be provided to the Zoning Administrator. After approval, no additional animals may be added to the site without an approved amendment to the Plan.*

**(C) Setbacks for Certain Structures.** *No structure for housing livestock including barns, run-in sheds stables, and the like shall be located closer than 60 feet from the property line of an adjoining lot where a residential dwelling existing or under construction at the time of construction of the structure is the principal use. This setback shall not apply if such residential dwelling is located more than 60 feet from the property line adjoining the structure.*

#### **Article 8, Definitions:**

**Animal Husbandry.** *The active and on-going propagation, rearing, exercising, feeding, milking, housing, controlling, handling, or general care of living animals, including the raising and production of bison, cattle (beef and dairy), pigs, mules, ducks, emus, horse, goats, llama, alpaca, poultry, pigeons, sheep, and similar animal husbandry uses, but not including miniature horses or pot-belly pigs. The conduct of the foregoing activities with respect to animals meeting the definition of "Pet" or non-domesticated (wild) animals shall not be considered Animal Husbandry.*

**Livestock.** *Animals, especially farm animals, raised for use, profit or enjoyment including horses, bison, cattle, pigs, mules, sheep, goats, alpacas, llamas, emus, and other similar domesticated animals, but not including miniature horses and pot-belly pigs.*

**Pet.** *An animal kept for pleasure rather than utility, not included within the animals listed in the definition of Animal Husbandry, such as dogs; cats; birds; non-poisonous spiders; chameleons and similar lizards; non-poisonous snakes; pot-belly pigs; hamsters; ferrets; gerbils; guinea pigs; pet mice and pet rats; turtles; fish; domesticated rabbits; miniature horses; and other similar domesticated animals. The keeping of such animals is permitted as an accessory use to a dwelling unit.*

**The Planning Commission forwarded ZOAM 2007-0004 to the Board of Supervisors with a recommendation of approval of the following: (1) The proposed grouping of amendments related to Farm Markets, dated November 5, 2009, revised December 1, 2009 consisting of pages 1 through 4; and (a) the proposed grouping of amendments related to Agriculture, Horticulture, and Animal Husbandry, titled the Austin/Maio Proposal, revised through November 24, 2009 consisting of pages 5 and 6. (9-0).**

#### **2. ZMAP 2006-0011, ZCPA 2006-0003, STONE RIDGE COMMERCIAL**

- a. A motion was made by Commissioner Chaloux, seconded by Commissioner Bayless, to remove Phase 2 language of Proffers. The motion failed. (2-7, SC, GB favor; EA, CB, RK, PM, GR, KR, HS opposed).
- b. A motion was made by Commissioner Chaloux, seconded by Commissioner Robinson, to use the language as proposed by the Applicant in the December 1, 2009 handout, amended to Phase 1 of the extension of Southpoint Drive, as depicted on the CDP, shall be constructed in conjunction with the initial development of either Land Bay FF1A or Land Bay FF2B, whichever

occurs first. Phase 2 of the extension of Southpoint Drive, as depicted on the CDP, shall be constructed at such time as (i) the West Spine Road is constructed by others as a four lane divided road from Tall Cedars Parkway to Route 50 and is open to traffic, (ii) the County requests that the Owner construct Phase 2, and (iii) either a cul-de-sac is constructed by others on Gum Spring Road (Route 659) north of Tall Cedars Parkway or intersection improvements, as required by VDOT, are provided by the Owner at the intersection of Southpoint Drive and Gum Spring Road. (9-0).

- c. A motion was made to suspend the rules and continue the meeting past 11:00 P.M. (9-0).

**The Planning Commission forwarded ZMAP 2006-0011, ZCPA 2006-0003, Stone Ridge Commercial to a Planning Commission worksession. (9-0).**

DISCUSSION POINTS:

- Applicant will respond to the County's appraisal analysis
- Recommendation by PC to Board for a circulation study
- Applicant agreed, regarding Proffer E1 to retain postal service and recycling drop-off in those uses.
- Request that the Applicant agree to extend Tall Cedars to the end of the Stone Ridge project.
- Request that the Applicant agree to remove the word "bonded" from the proffers.
- Phasing in #6 - further discussion. One possibility is to not allow any credit; another possibility is to allow the 80,000 s.f. credit in return for the standard office up on Rt. 50 but to not recognize the credit for the public facilities on the linkage – it has nothing to do with the capital facilities.
- Phasing of the recreation center to Residential.
- Bike and Ped –OTS determine whether they are requiring trails on all 6 lane roads – or trails on both sides was the question.
- The Applicant has agreed to let some of the specific language for sidewalks into the proffer language; in addition to what's on the concept development plan, will provide on the illustrative existing trails and sidewalks with arrows for connectivity in order to take a more complete look at the trail system.
- Applicant consider for PD-OP and PD-IP unbuilt that they would follow the design guidelines in the Bike & Ped Plan for commercial development; and also, that the unbuilt part of Millstream, which is the CTP road, would have sidewalks on both sides.
- Destiny Drive recommendation brought forward by the Applicant.
- Changes on the archaeological site.